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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,191	08/03/2001	Akiko Asami	7217/65202	7521

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COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

CHEN, PO WEI

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,191

Applicant(s)

ASAMI, AKIKO

Examiner

Po-Wei (Dennis) Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

In response to an Amendment received on October 03, 2003. This action is final.

Claims 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32-36 are pending in this application. Claims 1, 10, 19 and 28 are independent claims.

The present title of the invention is "Information Processing Apparatus, Information Processing Method, Program Storage Medium and Program".

The Group Art Unit of the Examiner case is now 2676. Please use the proper Art Unit number to help us serve you better.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-10, 12, 14-19, 21, 23-28, 30 and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota (US 6,437,797) and further in view of Kaye et al. (US 6,515,659; refer to as Kaye herein).

3. Regarding claim 1, Ota discloses an image reproducing method comprising:

An information processing apparatus (see abstract);

Display means (see 54-55 of column 3 and element 24 of Fig. 1);

Image data inputting means for inputting image data; time information inputting means for inputting time information in connection with said image data; position information inputting

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means for inputting position information in connection with said image data (see lines 36-51 of column 1 and Fig. 1);

Map display control means for controlling display of a map image (see lines 8-27 of column 4);

Position icon display control means for controlling display of position icons indicative of said time information and said position information on the map image whose display is controlled by said map display control means (see lines 6-9 of column 2 and lines 17-21 of column 4);

Thumbnail icon display control means for controlling a display of thumbnail icons indicative of said image data (see lines 58-67 of column 5 and line 1 of column 6 and Fig. 9 and 14);

Position icon data inputting means for inputting data representative of said position icon; and said thumbnail icon display control means controlling a sequential time series display of the thumbnail icons based on said time information corresponding to the data representative of the position icons inputted by said position icon data inputting means (see lines 36-51 of column 1, lines 6-18 of column 2, lines 43-46 of column 3, lines 7-17 of column 6 and lines 16-24 of column 8 and Fig. 10; while claim recites sequential time series display, it is noted that the system is able to control the thumbnail icon display by capturing order in accordance with time information from GPS reading to show image-capturing route. Thus, limitation of sequential time series display is met).

It is noted that Ota does not disclose concave/convex display control means for controlling topographic concave/convex display of the map image whose display is controlled by

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said map display control means. However, this is known in the art taught by Kaye. Kaye disclose a method for creating realistic smooth three-dimensional images comprising a display of a topographical map through inputs by controlling the concave and convex to define the contour paths (see lines 11-17 and 40-44 of column 6 and Fig. 5A-F and 8A-F). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Kaye to provide a realistic-looking map with smooth rounded depth contours (see lines 60-62 of column 1, Kaye). Also, it is noted that Kaye discloses that a topographical map is defined with associated altitude information (see lines 11-17 of column 6, Kaye), which is being captured by Ota using GPS system (see lines 18-22 of column 3, Ota), Ota will be able to also create a topographical map for his invention to provide a realistic looking map.

4. Regarding claim 3, Ota discloses an image reproducing method comprising:

Thumbnail icon data inputting means for inputting data representative of said thumbnail icons, said map display control means controlling a display region of the map image based on said position information corresponding to the data representative of the thumbnail icons inputted by said thumbnail icon data inputting means (see lines 45-51 of column 1 and line 6-18 of column 2).

5. Regarding claim 5, it is noted that Ota does not disclose concave/convex display control means for controlling the topographic concave/convex display of said map image controls the topographic concave/convex display based on contour data of a topography. However, this is known in the art taught by Kaye, as statements presented above, with respect to claim 1 are incorporated herein.

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6. Regarding claim 6, it is noted that Ota does not disclose concave/convex display control means for controlling the topographic concave/convex display of said map image controls the topographic concave/convex display based on arbitrary illumination direction data and shadow data associated with the arbitrary illumination direction data. However, this is known in the art taught by Kaye. Kaye disclose a method for creating realistic smooth three-dimensional images comprising a display of a topographical map through inputs by controlling the concave and convex to define the contour paths (see lines 11-17 and 40-44 of column 6 and Fig. 5A-F and 8A-F). Also, it is noted that the brightness (illumination and shadow data) can be utilized to further define the image (see lines 51-54 of column 19 and Fig. 5A-F). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Kaye to provide a realistic-looking map with smooth rounded depth contours (see lines 60-62 of column 1, Kaye).

7. Regarding claim 7, Ota discloses an image reproducing method comprising:

Position icon time series display control means for controlling a time series display of said position icons in said map image based on said time information (see lines 36-51 of column 1, lines 6-18 of column 2 and lines 43-46 of column 3);

Connection line display control means for controlling a connection line display between a plurality of said position icons (see lines 7-17 of column 6 and Fig. 10).

8. Regarding claims 8 and 9, Ota discloses an image reproducing method comprising:

The map image whose display is controlled by said map display control means and a thumbnail icon display displayed on said map image by said thumbnail icon display control means are moved by at least one of horizontal movement, vertical movement, clockwise or counterclockwise rolling movement, upward or downward pitching movement and leftward or

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rightward yawing movement (see lines 62-67 of column 5 and line 1 of column 6 and Fig. 14). While claim recites horizontal movement, vertical movement, clockwise or counterclockwise rolling movement, upward or downward pitching movement and leftward or rightward yawing movement, it is clear that by changing the position data (latitude, longitude and altitude) (see lines 18-22 of column 3), the thumbnail icon is moved in one of the movements. Furthermore, user will be able to change the location via pointing device (see lines 4-9 of column 10). Thus, limitation of claim is met.

9. Regarding claims 10-18, as statements presented above, with respect to claims 1-9 are incorporated herein.

10. Regarding claims 19-27, as statements presented above, with respect to claims 1-9 are incorporated herein. Also see lines 1-56 of column 3 and Fig. 1.

11. Regarding claims 28-36, as statements presented above, with respect to claims 1-9 are incorporated herein. Also see lines 1-56 of column 3 and Fig. 1.

Response to Arguments

12. Applicant's arguments with respect to claims 1, 10, 19 and 28 have been considered but are moot in view of the new ground(s) of rejection.

The Applicant argues: references do not teach or suggest the limitation of display of thumbnail icons in a sequential time series. However, this is known in the art taught by Ota (see lines 36-51 of column 1, lines 6-18 of column 2, lines 43-46 of column 3, lines 7-17 of column 6 and lines 16-24 of column 8 and Fig. 10; while claim recites sequential time series display, it is noted that the system is able to control the thumbnail icon display by capturing order in

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accordance with time information from GPS reading to show image-capturing route. Thus, limitation of sequential time series display is met).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yajima et al. (US 6,144,956) disclose "Methods for Retrieving Text Information in a Database Through Image Information and a Program Stored on a Computer-Readable Storage Medium for Performing such a Method"

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C Bella can be reached on (703) 308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen
Examiner
Art Unit 2676

Po-Wei (Dennis) Chen
December 17, 2003



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600